

1 BRIAN J. STRETCH (CABN 163973)
United States Attorney

2 DAVID R. CALLAWAY (CABN 121782)
3 Chief, Criminal Division

4 HELEN L. GILBERT (NYBN 4736336)
5 Assistant United States Attorney

6 450 Golden Gate Avenue, Box 36055
7 San Francisco, California 94102-3495
Telephone: (415) 436-7021
FAX: (415) 436-7234
Helen.Gilbert@usdoj.gov

8 Attorneys for United States of America

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) No. CR 16-038-SI
14 Plaintiff,)
15 v.) **STIPULATION AND [PROPOSED]**
16 SHAUN VINCENT KELLEY,) **ORDER EXCLUDING TIME**
17 Defendant.)
18 _____)

19
20 During the parties' appearance on April 22, 2016, the Court set May 13, 2016, as the next date
21 for a further status, change of plea, or trial setting hearing. During that appearance, counsel requested
22 that time between April 22, 2016, and May 13, 2016, be excluded from any time limits applicable under
23 18 U.S.C. § 3161, for the purpose of effective preparation of counsel. *See* 18 U.S.C.
24 § 3161(h)(7)(B)(iv). The parties agree that the ends of justice served by granting such an exclusion of
25 time outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C.
26 § 3161(h)(7)(A). At the April 22, 2016, hearing, the Court made findings consistent with that
27 agreement.

28 //

STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME
CR 16-038-SI

1 IT IS SO STIPULATED:

2
3
4 BRIAN J. STRETCH
5 United States Attorney

6 DATED: April 27, 2016

7 _____/s/_____
8 HELEN L. GILBERT
9 Assistant United States Attorney

10 DATED: April 27, 2016

11 _____/s/_____
12 SHILPI AGARWAL
13 Assistant Federal Public Defender
14 Attorney for Defendant, Dangelo Reed

15
16 Attestation of Filer

17 In addition to myself, the other signatory to this document is Shilpi Agarwal. I attest that I have
18 his permission to enter a conformed signature on his behalf and to file the document.

19 DATED: April 27, 2016

20 _____/s/_____
21 HELEN L. GILBERT
22 Assistant United States Attorney

1 [PROPOSED ORDER]

2 For the reasons stated above and at the April 22, 2016 hearing, the Court finds that exclusion
3 from the time limits applicable under 18 U.S.C. § 3161 the period from April 22, 2016, through May 13,
4 2016 is warranted and that the ends of justice served by the continuance outweigh the best interests of
5 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant the
6 requested exclusion of time would deny counsel for the defendant the reasonable time necessary for
7 effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage
8 of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

9
10 IT IS SO ORDERED.

11
12 DATED: _____

13 _____
14 THE HONORABLE SUSAN ILLSTON
15 United States District Court Judge
16
17
18
19
20
21
22
23
24
25
26
27
28